

1-1 By: Zaffirini S.B. No. 1098
1-2 (In the Senate - Filed February 27, 2017; March 7, 2017,
1-3 read first time and referred to Committee on State Affairs;
1-4 April 3, 2017, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; April 3, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Huffman	X		
1-9	Hughes	X		
1-10	Birdwell	X		
1-11	Creighton	X		
1-12	Estes	X		
1-13	Lucio	X		
1-14	Nelson	X		
1-15	Schwertner	X		
1-16	Zaffirini	X		

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to recordings, acknowledgments, and proofs of certain
1-20 written instruments.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Sections 406.014(a) and (c), Government Code,
1-23 are amended to read as follows:

1-24 (a) A notary public other than a court clerk notarizing
1-25 instruments for the court shall keep in a book a record of:

1-26 (1) the date of each instrument notarized;

1-27 (2) the date of the notarization;

1-28 (3) the name of the signer, grantor, or maker;

1-29 (4) the signer's, grantor's, or maker's mailing
1-30 address [~~residence or alleged residence~~];

1-31 (5) whether the signer, grantor, or maker is
1-32 personally known by the notary public, was identified by an
1-33 identification card issued by a governmental agency or a passport
1-34 issued by the United States, or was introduced to the notary public
1-35 and, if introduced, the name and mailing address [~~residence or~~
1-36 ~~alleged residence~~] of the individual introducing the signer,
1-37 grantor, or maker;

1-38 (6) if the instrument is proved by a witness, the
1-39 mailing address [~~residence~~] of the witness, whether the witness is
1-40 personally known by the notary public or was introduced to the
1-41 notary public and, if introduced, the name and mailing address
1-42 [~~residence~~] of the individual introducing the witness;

1-43 (7) the name and mailing address [~~residence~~] of the
1-44 grantee;

1-45 (8) if land is conveyed or charged by the instrument,
1-46 the name of the original grantee and the county where the land is
1-47 located; and

1-48 (9) a brief description of the instrument.

1-49 (c) A notary public shall, on payment of all fees, provide a
1-50 certified copy of any record of official acts in the notary public's
1-51 book of record [~~office~~] to any person requesting the copy.

1-52 SECTION 2. Sections 121.012(b) and (c), Civil Practice and
1-53 Remedies Code, are amended to read as follows:

1-54 (b) If the execution of the instrument is acknowledged by
1-55 the grantor of the instrument, the statement must also contain:

1-56 (1) the grantor's mailing address [~~known or alleged~~
1-57 ~~residence~~];

1-58 (2) whether the grantor is personally known to the
1-59 officer; and

1-60 (3) if the grantor is unknown to the officer, the name
1-61 and mailing address [~~residence~~] of the person who introduced the

2-1 grantor to the officer, if any.

2-2 (c) If the execution of the instrument is proved by a
2-3 witness who signed the instrument, the statement must also contain:

2-4 (1) the name of the witness;

2-5 (2) the mailing address [~~known or alleged residence~~]
2-6 of the witness;

2-7 (3) whether the witness is personally known to the
2-8 officer; and

2-9 (4) if the witness is unknown to the officer, the name
2-10 and mailing address [~~known or alleged residence~~] of the person who
2-11 introduced the witness to the officer, if any.

2-12 SECTION 3. The changes in law made by this Act apply to the
2-13 notarization, acknowledgment, or proof of a written instrument made
2-14 on or after the effective date of this Act. A notarization,
2-15 acknowledgment, or proof of a written instrument made before the
2-16 effective date of this Act is governed by the law in effect on the
2-17 date the notarization, acknowledgment, or proof was made, and the
2-18 former law is continued in effect for that purpose.

2-19 SECTION 4. This Act takes effect September 1, 2017.

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